

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

TOWAKI KOMATSU,

Plaintiff,

– against –

THE CITY OF NEW YORK, *et al.*,

Defendants.

ORDER

20-CV-7046 (ER) (lead case)

20-CV-7502 (ER)

20-CV-8004 (ER)

20-CV-8251 (ER)

20-CV-8540 (ER)

20-CV-8933 (ER)

20-CV-9151 (ER)

20-CV-9154 (ER)

20-CV-9354 (ER)

Ramos, D.J.:

On December 25, 2020, Komatsu filed an 84-page Complaint in *Komatsu v. City of New York*, Case No. 20-cv-10942, raising claims against the Mayor and numerous other City officials. On January 5, 2021, this Court issued an order stating that the new case was in violation of its December 15, 2020 order imposing filing restrictions on Plaintiff and instructed the Clerk of the Court to strike the Complaint in that case. *See* Doc. 62. Plaintiff now argues that that Case No. 20-cv-10942 falls outside of this Court’s filing restrictions order because it does not raise claims regarding allegations of exclusion from public meetings with the Mayor, and also requests that this Court reconsider its December 15, 2020 and January 5, 2021 Orders. *See, e.g.*, Docs. 63, 69.

Case No. 20-cv-10942 was instructed to be stricken because Claims Number 14 and 15 in that case alleged violations of Plaintiff’s First Amendment rights as they relate to “public forums,” which the Court believed referred to restrictions on Plaintiff’s behavior at public meetings. *See* Case No. 20-cv-10942, Doc. 2 at 76. If, however, these allegations did *not* refer to public meetings but instead referred to other events outside of the scope of this Court’s December 15, 2020 and January 5, 2021 orders, Plaintiff may file a motion to reopen Case No. 20-cv-10942 on that case’s docket. If Plaintiff chooses to do so, he must attach a copy of this

Order, along with a brief explanation of why Case No. 20-cv-10942 is not subject to this Court's filing restrictions.

However, the requests to reconsider this Court's December 15, 2020 and January 5, 2021 orders are otherwise DENIED. The Clerk of Court is respectfully directed to mail a copy of this order to Plaintiff.

It is SO ORDERED.

Dated: January 19, 2021
New York, New York

A handwritten signature in blue ink, appearing to read 'Edgardo Ramos', is positioned above a horizontal line.

EDGARDO RAMOS, U.S.D.J.